

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 08-09-16**

Date Published: September 11, 2008
For Work Week Commencing: September 15, 2008
Commission Meeting: September 16, 2008, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest D2000.11.200
(Gary) Qwest Corporation/OneEighty Communications, Inc. - UNE-P Amendment

Qwest has filed for approval with this Commission an Unbundled Network Element-Platform (UNE-P) amendment in the docket listed above. The FCC, with the guidance of the United States D.C. Court of Appeals, has redefined what constitutes an unbundled network element (UNE) under Section 251 of the 1996 Telecommunications Act. Specifically, the FCC issued its Triennial Review Order (TRO) effective October 3, 2003. This was followed by the United States D.C. Court of Appeals USTA II decision on March 2, 2004. Finally, the Commission issued its Triennial Review Remand Order (TRRO) on March 11, 2005. One of the effects of these orders and decision was to remove UNE-P as a required offering in interconnection agreements. The purpose of this Qwest/OneEighty amendment is to remove UNE-P from their existing interconnection agreement. This amendment was voluntarily negotiated by the parties involved. Staff recommends approval of this amendment. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and OneEighty Communications, Inc. in Docket No.D2000.11.200.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2008.6.64 – Qwest Corporation/XO Communications Services, Inc. – Interconnection Agreement – Discuss and act on the agreement. (9/16/08)
2. D2008.6.63 – Qwest Corporation/Ektopia Communications, LLC – Interconnection Agreement – Discuss and act on the agreement. (9/16/08)
3. N2008.9.105 – Operator Service Provider Rate Cap – Discuss all matters involving the PSC establishing maximum annual rates for services provided by operator service providers. (9/16/08)

4. D2008.9.111 – Commission Investigation, Alltel ETC Compliance - Discuss any and all matters necessary to the purpose of initiating an investigation into Alltel's compliance with the Commission's eligible telecommunication carrier (ETC) designation requirements. (9/16/08)
5. N2008.7.90 – Montana PSC Annual Certification of ETCs to the FCC – Discuss any and all matters involving the PSC annual certification of ETCs to the FCC. (9/16/08)
6. Placeholder - D2008.4.36 – NorthWestern Corporation – Investigation of NorthWestern Corporation's Compliance with Order No. 6505e – Discuss and act on any pre-hearing procedural matters that may arise. (9/16/08)
7. D2008.8.62 – NorthWestern Energy – Application for Approval of 2008 Avoided Cost Compliance Filing – Schedule QFLT-1 – Discuss and act on NWE's motion for interim rates; Discuss and act on consolidating D2008.6.62 with other pending QF Avoided Cost dockets. (9/16/08)
8. D2008.9.109, D2008.9.108 – PSC and MCC taxes (fees) – Approve the annual PSC and MCC tax orders required by statute. (9/16/08)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2008.9.106 – Triangle Telephone Cooperative Association, Inc. / Central Montana Communications, Inc. and MTPCS, LLC d/b/a Cellular One – Application for Approval of Wireless Inter Connection and Reciprocal Compensation Agreement
 D2008.9.107 – Energy West Montana – Energy West Montana, Great Falls, and Cascade – Petition for a Special Permit for use of Polyamide 12 Piping for Natural Gas Distribution
 D2008.9.108 – PSC Initiated – MCC Funding Fees
 D2008.9.109 – PSC Initiated – PSC Funding Fees
 D2008.9.110 – Montana-Dakota Utilities Co. – Approval to Revise Its Fuel and Purchased Power Cost Tracking Adjustment – Electric Rate 58 and Contract Service Rate 35
 D2008.9.111 – PSC Initiated – Investigation of Alltel Communications, LLC's Compliance with PSC ETC Designation Requirements

